

# L A W S

OF

# HIS MAJESTY KALAKAUA,

KING OF THE HAWAIIAN ISLANDS,

PASSED BY THE

# LEGISLATIVE ASSEMBLY,

AT ITS SESSION, 1874.

PUBLISHED BY AUTHORITY.

HONOLULU :  
BLACK & AULD, PRINTERS.  
1874.



# SESSION LAWS---1874.

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## CHAPTER I.

### PROPOSED AMENDMENT

TO ARTICLE SIXTY-THREE OF THE CONSTITUTION GRANTED ON THE TWENTIETH DAY OF AUGUST, A. D. 1864, IN ACCORDANCE WITH ARTICLE EIGHTY OF SAID CONSTITUTION.

That Article 63 be, and the same is hereby amended by striking out the words "and of the electors," and also by striking out the word "increased," and substituting therefor the word "changed," so that the article as amended will read as follows :

"ARTICLE 63. The property qualification of the Representatives of the people may be changed by law."

Approved this 13th day of July, A. D. 1874.

KALAKAUA R.

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## CHAPTER II.

### PROPOSED AMENDMENT

TO ARTICLE SIXTY-TWO OF THE CONSTITUTION GRANTED ON THE TWENTIETH DAY OF AUGUST, A. D. 1864, IN ACCORDANCE WITH ARTICLE EIGHTY OF SAID CONSTITUTION.

That article sixty-two be, and the same is hereby amended by striking out the words : "And shall be possessed of real property in this kingdom to the value, over and above all incumbrances, of one hundred and fifty dollars—or of a leasehold property on which the rent is twenty-five dollars

per year—or of an income of not less than seventy-five dollars per year, derived from any property, or some lawful employment.” So that the article as amended will read as follows :

“ARTICLE 62. Every male subject of the kingdom, who shall have paid his taxes, who shall have attained the age of twenty years, and shall have been domiciled in the kingdom for one year immediately preceding the election, and who shall know how to read and write, if born since the year 1840, and shall have caused his name to be entered on the list of voters for his district as may be provided by law, shall be entitled to one vote for the Representative or Representatives of that district. *Provided, however,* that no insane or idiotic person, or any person who shall have been convicted of any infamous crime within this kingdom, unless he shall have been pardoned by the King, and by the terms of such pardon have been restored to all the rights of a subject, shall be allowed to vote.”

Approved this 13th day of July, A. D. 1874.

KALAKAUA R.

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## CHAPTER III.

### AN ACT

TO FIX THE COMPENSATION OF PILOTS AT THE PORT OF  
HONOLULU.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. The compensation of the Pilots at the Port of Honolulu shall be as follows : One dollar and fifty cents per foot on the vessel's draft coming into port, and the same for going out of port, for ships of war, mail steamers, and all vessels under two hundred tons register; five cents per ton registered measurement for all vessels not above included.

either for bringing into or taking out of port; *provided, however*, that the total charge shall not exceed fifty dollars for pilotage either in or out; for anchoring any vessel off the Port of Honolulu, fifteen dollars, *provided* the pilot be not detained on board longer than twenty-four hours, and for all detention on board beyond that time, seven dollars per day; but vessels that come in after having been anchored off the port by the pilot, shall not pay more than ten dollars in addition to the regular charge for bringing such vessel into or taking her out of port.

SECTION 2. This act shall take effect and become a law from and after the date of its approval, and all laws or parts of laws opposed to or inconsistent herewith are hereby repealed.

Approved this 30th day of May, A. D. 1874.

KALAKAUA R.

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## CHAPTER IV.

### AN ACT

#### CONCERNING MARRIAGES OF HAWAIIAN WOMEN WITH CHINAMEN.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. No marriage of a Hawaiian woman with a Chinaman shall be invalid by reason of a previous marriage of such Chinaman in China; *provided* such previous marriage shall have been unknown to such Hawaiian woman at the time of such marriage.

SECTION 2. All laws inconsistent herewith are hereby repealed.

Approved this 30th day of May, A. D. 1874.

KALAKAUA R.

## CHAPTER V.

## AN ACT

TO FURTHER EXTEND THE TERM OF THE COMMISSION OF BOUNDARIES

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. That the term of the continuance of the Commission of Boundaries established by an Act approved on the 23d day of August, 1862, and extended to the 23d day of August, 1874, by an Act approved on the 22d day of June, 1868, be and the same is hereby further extended to the 23d day of August, 1880, for the purpose of deciding and certifying the Boundaries of Ahupuaas and portions of Ahupuaas, Ilis and portions of Ilis, and other denominations of lands, upon applications now pending before the several Commissioners of Boundaries, and upon such applications as may hereafter be made under the provisions of Section 9, of the said Act of the 22d day of June 1868.

SECTION 2. This Act shall take effect and become a law from and after the date of its passage; and all laws and parts of laws inconsistent or in contravention herewith, are hereby repealed.

Approved this 13th day of July, A. D. 1874.

KALAKAUA R.

## CHAPTER VI.

## AN ACT

TO MAKE A PERMANENT SETTLEMENT ON HIS EXCELLENCY  
P. NAHAOLELUA.

*Whereas*, the public services of His Excellency P. Nahaoie-lua in certain offices, have extended during the reigns of their late Majesties Kamehameha III, Kamehameha IV,

Kamehameha V, Lunalilo, and until the reign of Kalakana I, and during this long period he has ever been a man of trust and integrity and his services have been of great value to this nation.

*And Whereas*, he has grown aged and feeble in the service of this country; therefore,

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. That the sum of fifteen hundred dollars per year, is hereby granted to His Excellency P. Nahaolelua, during the term of his natural life, and that the Minister of Finance is hereby authorized and required to pay the same out of the public treasury in such proportion as it may be usual to pay any other salaries or allowances due by the Government, whether the same be payable yearly or for fractions of a year.

SECTION 2. His Excellency shall be entitled to draw from the public treasury as in the preceding section set forth, from and after the date of the passage of this Act; *provided, however*, that no sums shall be paid out of the public treasury and no allowance made under this Act, until His Excellency may have resigned or ceased to have any right to draw any sums for any appointment or office under Government.

Approved this 14th day of July, A. D. 1874.

KALAKAUA R.

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## CHAPTER VII.

### AN ACT

TO MAKE A PERMANENT SETTLEMENT ON HIS EXCELLENCY  
P. KANOA.

*Whereas*, His Excellency P. Kanoa has long and faithfully served this Kingdom in the capacity of Governor, and no

irregularities have ever been known to have existed in his office, and he is now advanced in years, and no longer able to perform the duties of said office; therefore,

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. That the sum of twelve hundred dollars per year is hereby granted to His Excellency P. Kanoa during the term of his natural life, and that the Minister of Finance is hereby authorized and required to pay the same out of the public treasury in such proportion as it may be usual to pay any other salaries or allowances due by the Government, whether the same be paid yearly or for fractions of a year.

SECTION 2. His Excellency shall be entitled to draw from the public treasury as in the preceding section set forth, from and after the date of the passage of this Act; *Provided, however,* that no sums shall be paid out of the public treasury, and no allowance made under this Act, until His Excellency may have resigned or ceased to have any right to draw any sums for any appointment or office under Government.

Approved this 14th day of July, A. D. 1874.

KALAKAUA R.

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## CHAPTER VIII.

### AN ACT

TO PROVIDE A PERMANENT SETTLEMENT FOR METHUSELAH MAHUKA.

*Whereas,* Methuselah Mahuka has been in the employ of this Government during the reigns of the late Kings Kamehameha III, Kamehameha IV, Kamehameha V, and Lunalilo, having during all that period maintained a character for



honesty and reliability; *and whereas*, he has become aged and enfeebled in the service of the Government; therefore,

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. That the sum of three hundred dollars per annum is hereby permanently settled upon Methuselah Mahuka, during his lifetime, and the Minister of Finance is hereby directed to pay the same out of the public treasury in like manner with other salaries and appropriations, annually or by the month.

SECTION 2. The said Methuselah Mahuka shall be entitled to draw upon the public treasury for the pension provided for in Section 1, from and after the date of the passage of this Act.

Approved this 22d day of July, A. D. 1874.

KALAKAUA R.

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## CHAPTER IX.

### AN ACT

TO ABOLISH THE OFFICE OF CIRCUIT JUDGE OF THE ISLAND OF OAHU.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. That from and after the passage of this Act the office of Circuit Judge for the Island of Oahu be and the same is hereby abolished.

SECTION 2. All appeals from the Police Magistrate and the District Justices of the Island of Oahu shall be taken before any Justice of the Supreme Court at Chambers in like manner as such appeals are taken before the Circuit Judges of the other judicial districts, and any person deeming himself aggrieved by the decision of the said Justice of the Supreme Court may appeal to the Supreme Court.

SECTION 3. All trials and other business which were pending before the Circuit Judge for the Island of Oahu last appointed, at the date of his resignation shall be, and the same are hereby transferred to any one of the Justices of the Supreme Court sitting alone, and he is hereby fully empowered to hear, try and determine the said cases.

SECTION 4. The appeal cases under this Act may be heard by any Justice of the Supreme Court at Chambers in Honolulu or in the district where they arose, and such Justice is required to make a circuit of the Island of Oahu, at least four times each year for the purpose of hearing in each district thereof, all appeals, and all other business which may be brought before him, and shall give at least one week's previous notice in each district of the time and place of holding his Court, by causing notice of the same to be posted in some conspicuous place in the district; and any Justice hearing any appeal case by the authority of this statute shall have all the powers which are by law conferred upon the Circuit Judges of other judicial circuits in like appeal cases.

SECTION 5. The costs chargeable in appeal cases under the provisions of this Act, shall be the same as those chargeable by law in the Police Court of Honolulu.

SECTION 6. When for any cause, any Police or District Justice is legally disqualified to hear and determine any case, civil or criminal, which would by law come under his jurisdiction on the Island of Oahu, the same may be brought by direct suit or complaint before any one of the Justices of the Supreme Court sitting alone, to be heard and determined by such Justice, in like manner as if it had been brought before him by appeal. The same costs shall be charged in such cases as would have been charged if the suit had been brought before the Police or District Justice.

SECTION 7. All laws or parts of laws inconsistent with the provisions of this Act, as well as an Act entitled "An

Act to abolish the Circuit Court for the first Judicial District," approved on the 10th day of January, A. D. 1865, are hereby repealed.

Approved this 13th day of July, A. D. 1874.

KALAKAUA R.

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## CHAPTER X.

### AN ACT

TO AMEND SECTION 646 OF THE CIVIL CODE, CONCERNING PASSPORTS.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

That Section 646 of the Civil Code be, and the same is hereby amended, by adding another clause as follows: Fifth. All protests against the granting of a passport shall be made on a stamped form, to be furnished by the Collector of Customs, for which a charge of three dollars shall be made.

Approved this 13th day of July, A. D. 1874.

KALAKAUA R.

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## CHAPTER XI.

### AN ACT

TO REPEAL SECTION 6 OF AN ACT "TO PREVENT THE SPREAD OF LEPROSY," APPROVED ON THE 3D DAY OF JANUARY, A. D. 1865.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. That Section 6 of an Act entitled "An Act to prevent the spread of Leprosy" be, and the same is hereby repealed.

SECTION 2. This Act shall become a law from and after the date of its approval.

Approved this 13th day of July, A. D. 1874.

KALAKAUA R.

## CHAPTER XII.

## AN ACT

TO AMEND SECTION 2D OF "AN ACT TO REGULATE THE CARRYING OF PASSENGERS BETWEEN THE ISLANDS OF THIS KINGDOM," APPROVED JANUARY 10, 1865.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. That Section 2d of the "Act to regulate the carrying of passengers between the Islands of this Kingdom" be, and the same is hereby amended, to read as follows :

"SECTION 2. Before obtaining the said license, it shall be necessary that the vessel for which such license is desired shall be thoroughly inspected by some person to be appointed for that purpose by the Collector General of Customs ; and the person so appointed shall be entitled to a fee of three dollars for such inspection and his certificate, which fee shall be paid by the owners of such vessel before the inspector shall proceed on board ; and if the inspector shall certify the said vessel to be staunch, and well equipped and of sufficient capacity and accommodation to carry passengers, on presenting such certificate to the Collector General of Customs, the owners of such vessel shall be entitled to receive a license to carry passengers between the Islands of the Kingdom for one year, subject to the rules and regulations hereinafter provided; it being expressly understood and enacted, that the force and effect of Article second of the Civil Code entitled "Of the internal trade and commerce" is not changed or altered, but is applicable to goods only."

Approved this 13th day of July, A. D. 1874.

KALAKAUA R.

## CHAPTER XIII.

## AN ACT

TO AMEND SECTION 488 OF THE CIVIL CODE.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. That Section 488 of the Civil Code be, and the same is hereby amended by striking out the word "six" in the fourth line and inserting in place thereof the word "four," and by striking out the word "eight" and substituting therefor the word "nine," so that the Section as amended shall read as follows :

"SECTION 488. Every person liable to the road tax may have his election of paying the same in money or labor; *provided always*, that when he elects to pay the same in labor he shall labor four days annually under the direction of the Road Supervisor of his district; *and further provided*, that nine hours shall be considered a full day's work."

SECTION 2. This Act shall take effect and become a law from and after the date of its passage.

Approved this 13th day of July, A. D. 1874.

KALAKAUA R.

## CHAPTER XIV.

## AN ACT

TO PROMOTE AGRICULTURE AND INDUSTRIAL PURSUITS IN THE PUBLIC SCHOOLS OF THE KINGDOM.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. It shall be lawful for the Board of Education to include agricultural and industrial pursuits among the

branches of instruction taught by the Public Schools of the Kingdom.

SECTION 2. The Board of Education shall have power to prescribe the manner and designate the places in which such pursuits shall be conducted, and also to determine the extent to which they shall be followed, either generally or to suit particular cases.

SECTION 3. For the purposes of this Act it shall be lawful for the Board of Education, after due notice to the Minister of Interior, to use free of rent as much of any government land, not otherwise employed, as shall be advantageously cultivated by the teachers and pupils of any public school, and the teachers and pupils aforesaid shall have the right to continue to cultivate such government land so long as the same shall not be otherwise disposed of by the Minister of the Interior, or otherwise ordered by the Board of Education; and in case of disposal of the same by the Minister of Interior sufficient notice shall be given to enable the removal of improvements, and the gathering of growing crops, without loss to the owners thereof.

SECTION 4. Whenever it shall deem the same desirable the Board of Education may also acquire, on such terms as may be agreed upon, land other than government, that may be advantageously employed for the purposes herein stated.

SECTION 5. All net profits arising from agricultural and industrial pursuits, under this act, shall belong to the teachers and pupils actually engaged in such pursuits, and shall be divided among the same in such proportions as the Board of Education shall deem proper; but the provisions of this section shall not be deemed applicable to schools otherwise regulated by law.

SECTION 6. All laws at present in force, or that shall be enacted hereafter for the government, discipline and welfare of the Public Schools of the Kingdom, shall in their operation

be construed to include the enforcement of the provisions of this act in relation to agricultural and industrial pursuits in said Schools.

SECTION 7. This act shall take effect from and after the date of its approval.

Approved this 13th day of July, A. D. 1874.

KALAKAUA R.

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## CHAPTER XV.

### AN ACT

TO AMEND SECTION 9, CHAPTER 9, OF THE NEW PENAL CODE.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. That Section 9, Chapter 9, of the new Penal Code be and the same is hereby amended to read as follows :

“SECTION 9. Whoever inflicts a slight corporal injury upon another, as by striking him with his fist, spitting in his face, inciting and causing a dog to bite him, or any injury of a like gravity, however slight, is guilty of an assault and battery, and shall be punished by a fine of not more than one hundred dollars, or by imprisonment at hard labor, not more than six months in the discretion of the Court.”

SECTION 2. This Act shall take effect and become a law thirty days after its approval, and all laws conflicting with the provisions of this Act are hereby repealed.

Approved this 13th day of July, A. D. 1874.

KALAKAUA R.

## CHAPTER XVI.

## AN ACT

TO AMEND SECTIONS 574 AND 691 OF THE CIVIL CODE, CONCERNING  
HEALTH CERTIFICATES.

*Be it Enacted by the King and the Legislative Assembly of the  
Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. That Section 574 of the Civil Code be and the same is hereby amended by inserting after the form of Certificate of Clearance, the words "and a Health Certificate" in the following form:

Hawaiian Islands,

Health Certificate.

Port of \_\_\_\_\_ day of \_\_\_\_\_ 18—

This is to certify that the \_\_\_\_\_ of which \_\_\_\_\_ is master, is now ready to depart from this port for \_\_\_\_\_ with \_\_\_\_\_ persons, including the master of the vessel.

And I do further certify that no cholera, plague or other contagious or dangerous disease, at present exists at this port or its vicinity.

\_\_\_\_\_ Collector.

SECTION 2. That Section 691 of the Civil Code be and the same is hereby amended by striking out the words "when required five dollars" in the third line thereof and inserting the words "one dollar," so that the said line shall read "For Bill of Health on departure One Dollar."

Approved this 13th day of July, A. D. 1874.

KALAKAUA R.



## CHAPTER XVII.

## AN ACT

PROVIDING FOR THE TENURE OF OFFICE OF REPRESENTATIVES.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

The term of office of the Representatives of the People chosen for the Legislature shall commence with the date of the general election, and shall continue for two years; *provided nevertheless*, that Representatives not chosen at the general election, but chosen to fill unexpired terms, shall hold office only for the balance of such unexpired term.

Approved this 13th day of July, A. D. 1874.

KALAKAUA R.

## CHAPTER XVIII.

## AN ACT

TO AMEND SECTION 870 OF THE CIVIL CODE, AND PROVIDING TWO PLACES FOR HOLDING THE TERMS OF THE CIRCUIT COURT FOR THE SECOND JUDICIAL CIRCUIT.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. The terms of the Circuit Court for the Second Judicial Circuit, provided for in Section 870 of the Civil Code, consisting of the Islands of Maui, Molokai, Lanai and Kahoolawe, the seat of justice of which to be at Lahaina, shall hereafter be held at Lahaina on the first Tuesday of December, and at Wailuku in the Court House thereat on the first Tuesday of June in each year.

SECTION 2. All laws and parts of laws in contravention of this Act are hereby repealed.

SECTION 3. This Act shall become a law from and after the date of its passage ; *provided, however,* that the terms of said Court for the present year shall be held at Lahaina on the first Tuesday in June, and the first Tuesday in December; *and provided further,* that the Chief Justice of the Supreme Court may, by written order to the Sheriff, cause the said Court to be adjourned to some other day, not however beyond the first Tuesday in June, and the first Tuesday in December of the present year.

Approved this 13th day of July, A. D. 1874.

KALAKAUA R.

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## CHAPTER XIX.

### AN ACT

TO PROHIBIT THE PEDDLING AND HAWKING FOR SALE OF CAKES OF EVERY DESCRIPTION, IN THIS KINGDOM, WITHOUT A LICENSE.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. The Peddling of Cakes of every description, in this Kingdom, without first obtaining a Peddling License from the Minister of the Interior, is hereby prohibited.

SECTION 2. The Minister of the Interior may issue licenses for the peddling and hawking of cakes, for one year, upon receiving the sum of twenty-five dollars for each license.

SECTION 3. Whoever violates any of the provisions of this act shall be punished by a fine of not more than one hundred dollars, or be imprisoned for not more than one year, in the discretion of the Court.

SECTION 4. This Act shall take effect and become a law from and after the date of its passage.

Approved this 13th day of July, A. D. 1874.

KALAKAUA R.

## CHAPTER XX.

## AN ACT

TO AMEND THE ACT OF 1864, CONCERNING CONSULAR CERTIFICATES.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

That the Act entitled "An Act requiring Consular Certificates to be attached to invoices of goods imported from foreign countries" be, and the same is hereby amended, by inserting after Section 2 of said Act, a new section, as follows :

"SECTION 2A. The Collector of Customs shall be authorized to grant a further time of six months to parties not having a Consular certified invoice, upon their filing a bond with good security to produce the same within that time, the charge for which bond shall be two dollars."

Approved this 13th day of July, A. D. 1874.

KALAKAUA R.

## CHAPTER XXI.

## AN ACT

TO AMEND SECTION 2A OF AN ACT ENTITLED "AN ACT TO AMEND AN ACT TO REGULATE THE AWARDING AND DISTRIBUTION OF WATER IN THE DISTRICT OF LAHAINA, ISLAND OF MAUI.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. That Section 2A of an Act entitled an Act to amend an Act to regulate the awarding and distribution of Water in the District of Lahaina, Island of Maui, be, and the same is hereby amended, to read as follows :

"SECTION 2A. No person who is entitled to any portion of the water which has been awarded, or which may hereafter be awarded, to any ahupuaa, ili, or parcel of land, shall take

the said allowance of water away from the ahupuaa, ili, or parcel of land, to which the same has been awarded, to be used on any other ahupuaa, ili, or parcel of land.”

SECTION 2. This Act shall take effect and become a law from and after the date of its passage, and all laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Approved this 13th day of July, A. D. 1874.

KALAKAUA R.

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## CHAPTER XXII.

### AN ACT

TO AMEND SECTION 915 OF THE CIVIL CODE.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. That Section 915 of the Civil Code be and the same is hereby amended so as to read as follows:

“SECTION 915. Each of said District Justices shall have jurisdiction, subject to appeal, to hear and determine all civil cases wherein the property involved in controversy or the amount of the plaintiff’s demand does not exceed two hundred dollars, in which the party defendant is resident, or for the time being is found within his district, whether the parties be natives or foreigners, except that in any district where there is a Police Justice, the District Justice shall not have jurisdiction in any case in which either party is a foreigner by birth.”

SECTION 2. This Act shall become a law from and after its approval, and all laws or parts of laws conflicting with the same are hereby repealed.

Approved this 13th day of July, A. D. 1874.

KALAKAUA R.

## CHAPTER XXIII.

## AN ACT

AUTHORIZING THE MINISTER OF THE INTERIOR TO GRANT TO OWNERS OF MILLS FOR THE MANUFACTURE OF SUGAR, LICENSES TO DISTILL SPIRITUOUS LIQUOR.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. The Minister of the Interior is hereby authorized to grant to any owner or owners of any mill for the manufacture of sugar, a license to distill spirituous liquor subject to the conditions and restrictions hereinafter set forth.

SECTION 2. All persons applying for a license under this law, shall before receiving the same file a bond, (in form similar to the following,) the same being always subject to the approval of the Minister of the Interior.

Know all men by these presents that we, ——, principal, and ——, surety, are held and firmly bound unto the Minister of the Interior for the use of the Hawaiian Government in the penal sum of One Thousand Dollars, lawful money, to be levied on our respective joint and several property in case the conditions hereinafter set forth shall be violated.

For the just and full payment of which we hereby jointly and severally bind ourselves, our heirs, executors, administrators and assigns.

Sealed with our seals and dated this —— day of ——  
A. D. 18—

The condition of this obligation is as follows: *That, whereas,* the above bounden principal has this day applied for a license to distill spirituous liquor in accordance with the law enacted on the —— day of —— 18—, and has complied with the requisitions of the said law, and has consequently become entitled to a license to distill spirituous liquor in ac-

cordance with the statute in such cases made and provided, for the term of five years from date; *Now, therefore*, if during the continuance of this license the said ——— shall not contribute to the violation of any of the laws of this Kingdom nor violate any of the conditions of this license, copy of which is hereto annexed, then this obligation shall be void, otherwise upon proof being made to the satisfaction of a Common Magistrate without the intervention of a jury, the penalty mentioned in this bond shall be forfeited and the license of the said ——— this day granted shall be void.

Given under our hands and seals the day and year above written.

In the presence of

SECTION 3. Such license shall be valid for the space of five years, and before granting such license, the Minister of the Interior shall demand and receive at the hands of the applicant for the benefit of the Royal Exchequer the sum of Fifty Dollars, and at the expiration of one year from the date of said license the licensee shall pay Fifty Dollars further, and so on at the expiration of each year during the time of the license.

SECTION 4. All spirits manufactured by authority of this law, shall pay when withdrawn for consumption in this Kingdom an excise equal to the specific duty that is now, or may be hereafter levied on spirits of like strength of alcohol of foreign manufacture imported into this Kingdom. If withdrawn for export, the said spirits shall be subject to the same surveillance and restrictions to which liquors of foreign manufacture are now, or may hereafter be subjected when withdrawn for re-exportation.

SECTION 5. All spirituous liquor manufactured under the authority of this law shall be delivered into the charge and keeping of the Custom House authorities, and shall so remain until lawfully withdrawn for consumption or exportation by a

permit of the Collector General of Customs or his deputy, and all the expenses of storage shall be paid by the owner of such spirits in like manner as though the same were of foreign manufacture and had been imported into this country.

SECTION 6. The licensee, or the manager of the plantation, or some person acting for and on behalf of such licensee or manager and acquainted with the facts, shall report to the Minister of the Interior, and to the Collector General of Customs, the quantity of spirits manufactured by him and delivered to the Custom House Authorities, each quarter and oftener if required, and shall at the same time subscribe an oath as follows or to the following effect:

I solemnly swear that the report hereinabove subscribed by me, contains a true account of all the spirituous liquors manufactured by me or by my authority on this plantation during the time set forth in such report. The subscribing of such an oath shall subject one so subscribing it to all the pains and penalties of perjury, *provided* the report so sworn to shall be proved to be untrue.

SECTION 7. Any persons introducing for consumption any spirits manufactured under the authority of this Act, without paying the excise thereon, shall be liable to the same penalties as though the same had been smuggled, and if any such person be an owner or an employee in a distillery the apparatus of such distillery shall be liable to confiscation and sale for the benefit of the Public Treasury.

SECTION 8. His Majesty the King in Privy Council shall have authority to make from time to time such regulations, not inconsistent with the provisions of this enactment, which He, upon the advice of a majority of those present at any duly called meeting of His said Privy Council, may deem requisite for the protection of the revenue.

SECTION 9. *Whereas* the bond provided for in the second Section of this Act runs for a long time, the surety may

withdraw upon giving two months notice to the Minister of the Interior, and to the principal, and it shall be the duty of the principal in such a case to supply another surety, and upon his failing so to do his license shall be void.

Approved this 13th day of July, A. D. 1874.

KALAKAUA R.

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## CHAPTER XXIV.

### AN ACT

#### TO AMEND SECTION 42 OF THE CIVIL CODE.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. That Section 42 of the Civil Code be, and the same is hereby amended by adding the following: "*And provided that no sale of one land or lot exceeding five thousand dollars in value shall be made without the consent of the King and a majority of the Privy Council,*" so that the Section as amended shall read as follows :

"SECTION 42. The said Minister, by and with the authority of the King in Cabinet Council, shall have power to lease, sell or otherwise dispose of the public lands, and other property, in such manner as he may deem best for the promotion of agriculture, and the general welfare of the Kingdom, subject however, to such restrictions as may from time to time, be expressly provided by law. *And provided that no sale of one land or lot exceeding five thousand dollars in value shall be made without the consent of the King and a majority of the Privy Council.*"

SECTION 2. This Act shall become a law from and after the date of its passage.

Approved this 13th day of July, A. D. 1874.

KALAKAUA R.



## CHAPTER XXV.

## AN ACT

TO REGULATE THE TIME FOR HOLDING ELECTIONS FOR REPRESENTATIVES.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. The election for Representatives of the people to sit in the Legislature shall be held in all the districts throughout the Kingdom on the first Wednesday of February, every second year, at such places as shall from time to time be designated by the Minister of the Interior, who shall give public notice of the same thirty days previous to the time of election.

SECTION 2. This Act shall take effect and become a law from and after the date of its passage and all laws and parts of laws conflicting with the provisions of this Act are hereby repealed.

Approved this 13th day of July, A. D. 1874.

KALAKAUA R.

## CHAPTER XXVI.

## AN ACT

TO AMEND CHAPTER 52 OF THE PENAL CODE OF THIS KINGDOM BY ADDING A NEW SECTION THERETO, TO BE ENTITLED SECTION 10TH OF CHAPTER 52.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. That the several Police and District Justices throughout the Kingdom shall have jurisdiction to hear and determine all complaints for any violation of Sections 1, 3 and

'5 of Chapter 17 of the Penal Code, relating to violation of letters and postal laws.

SECTION 2. This Act shall take effect and become a law from and after the date of its passage.

Approved this 13th day of July, A. D. 1874.

KALAKAUA R.

## CHAPTER XXVII.

### AN ACT

TO AMEND SECTION 1, OF AN ACT ENTITLED AN ACT DESIGNATING THE OWNERS OF CATTLE, HORSES, MULES, DONKEYS, SHEEP, GOATS, AND SWINE, NOT MARKED OR BRANDED ACCORDING TO LAW, AND WHICH MAY BE RUNNING WILD, AND AT LARGE, ON THE LANDS OF THIS KINGDOM, APPROVED ON THE 18TH DAY OF JULY, A. D. 1870.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. That Section 1 of an Act designating the owners of cattle, horses, mules, donkeys, sheep, goats and swine not marked or branded according to law, and which may be running wild and at large on the lands of this Kingdom be, and the same is hereby amended by inserting certain words, so that the Section as amended shall read as follows :

“SECTION 1. All cattle, horses, mules, donkeys, sheep, goats, and swine, over twelve months of age, not marked or branded according to law, and which may have been running wild and at large for six months or over, upon any of the lands of this Kingdom shall belong to, and be the property of the owners or lessees of the lands on which the said animals may be found running.”

SECTION 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Approved this 13th day of July, A. D. 1874.

KALAKAUA R.

## CHAPTER XXVIII.

### AN ACT

RELATING TO ORDERS OF CONFIRMATION OF SALES OF REAL ESTATE BY ADMINISTRATORS AND GUARDIANS.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. For the purpose of perfecting sales of real property by administrators and guardians, a certified copy of the order of confirmation of sales of real estate by an administrator or guardian shall be recorded in the office of the Registrar of Conveyances in Honolulu, by the administrator or guardian, within thirty days after such order is granted.

SECTION 2. This Act shall take effect and become a law from and after the date of its approval.

Approved this 18th day of July, A. D. 1874.

KALAKAUA R.

## CHAPTER XXIX.

### AN ACT

TO AMEND SECTION 651 OF THE CIVIL CODE, OF PASSPORTS.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. That Section 651 of the Civil Code be and the same is hereby amended, to read as follows :

“SECTION 651. Every master or commanding officer of a vessel, who shall convey out of this Kingdom any person not having a passport, shall be subject to a fine of fifty dollars, and be liable for all debts which such person may have left unpaid in this Kingdom ; and if he shall fail to pay such fine and debts, such vessel shall be subject to seizure, condemna-

tion and sale for the payment thereof: *Provided always*, if the master or commanding officer of such vessel shall by the aid of the police of this Kingdom make a thorough and faithful search of the vessel after clearance, and previous to passing the boundaries of the jurisdiction of this Kingdom, with a view to guard against persons making their escape, such master or commanding officer of a vessel shall not be liable to said fine or liable for the payment of the debts which such person may have left unpaid in this Kingdom, nor shall the vessel be liable to seizure and confiscation. *And provided further*, that none of the provisions of this Section or Article, shall be construed as applicable to any seaman legally shipped on board of any vessel."

SECTION 2. This Act shall take effect and become a law from and after the date of its approval.

Approved this 18th day of July, A. D. 1874.

KALAKAUA R.

## CHAPTER XXX.

### AN ACT

TO AMEND SECTION 1, AND SECTION 3, OF AN ACT APPROVED ON THE 22D DAY OF JUNE, A. D. 1868, TO LICENSE THE SLAUGHTER AND SALE OF BEEF.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. That Section 1 of said Act be and the same is hereby amended, to read as follows :

"SECTION 1. The Minister of the Interior may at any time license, for the term of one year, any applicant to slaughter and sell beef, either in Honolulu and Waialua, Island of Oahu ; Lahaina, Wailuku and Makawao, Island of Maui ; Hilo, North Kohala, Kawaihae, Kealahakua, Kaawaloa and Waiohinu, Island of Hawaii ; Koloa, Lihue and Hanalei, Isl-

and of Kauai ; upon receiving for such license, the sum of twenty dollars ; *provided however*, that this Section shall not be held to apply to salted or corned beef, brought from other parts of the Kingdom."

SECTION 2. That Section 3 of said Act be and the same is hereby amended, to read as follows :

"SECTION 3. Whoever shall slaughter or sell beef in Honolulu and Waiialua, Island of Oahu ; Lahaina, Wailuku and Makawao, Island of Maui ; Hilo, North Kohala, Kawaihae, Kealakekua, Kaawaloa and Waiohinu, Island of Hawaii ; Koloa, Lihue and Hanalei, Island of Kauai ; without first obtaining a license therefor, as provided in Section 1 of this Act, shall be subject to a fine of not less than ten nor more than twenty-five dollars for each offense, in the discretion of the Court."

SECTION 3. This Act shall become a law at the expiration of thirty days from the date of its passage ; and all laws or parts of laws inconsistent herewith are hereby repealed.

Approved this 18th day of July, A. D. 1874.

KALAKAUA R.

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## CHAPTER XXXI.

### AN ACT

TO AMEND SECTION 640 OF THE CIVIL CODE, CONCERNING ACKNOWLEDGMENTS OF TRANSFERS OF VESSELS.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

That Section 640 of the Civil Code be and the same is hereby amended by adding thereto the following words:

"To entitle such transfers, mortgages, or hypothecations to be recorded, they must be acknowledged by the party or one of the parties executing the same, before an officer authorized

to take acknowledgments under the laws of this Kingdom. And for the better carrying into effect the provisions of this Act, the Collector General of Customs and his Deputy are also authorized to take acknowledgments in such cases and charge the sum of One Dollar for each party signing."

Approved this 18th day of July, A. D. 1874.

KALAKAUA R.

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## CHAPTER XXXII.

### AN ACT

TO AMEND SECTION 1 OF AN ACT ENTITLED "AN ACT TO AUTHORIZE THE MINISTER OF THE INTERIOR TO TAKE POSSESSION OF WHATEVER LAND AND WATER MAY BE REQUIRED FOR THE USE OF THE HONOLULU WATER WORKS, APPROVED THE 18TH DAY OF AUGUST, A. D. 1860.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. That Section 1 of an Act entitled an Act to authorize the Minister of the Interior to take possession of whatever land and water may be required for the use of the Honolulu Water Works, approved the 18th day of August, 1860, be, and the same is hereby amended, to read as follows :

"SECTION 1. The Minister of the Interior is hereby authorized and empowered, in accordance with the provisions of this Act, to enter upon and take possession of and hold for the use of the Government such land and water, real estate and property as may be required for the use and maintenance of the Honolulu Water Works, for laying down pipes, building dams, reservoirs and tanks on and through the lands extending from the reservoir on the land of Kahookane, in the district of Honolulu, and thence mauka to the ridge of moun-

tains lying between the district of Honolulu and the district of Kaneohe in the Island of Oahu, and anywhere between the ridges that bound Nuuanu Valley.”

Approved this 18th day of July, A. D. 1874.

KALAKAUA R.

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## CHAPTER XXXIII.

### AN ACT

TO PROVIDE FOR THE SALE OF MORTGAGED PROPERTY WITHOUT  
SUIT AND DECREE OF SALE.

*Be it Enacted by the King and the Legislative Assembly of the  
Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. When a power of sale is contained in a mortgage, the mortgagee, or any person having his estate therein, or authorized by such power to act in the premises, may, upon a breach of the condition, give notice of his intention to foreclose such mortgage, by publication of such notice in the Hawaiian and English languages for a period of three consecutive weeks, before advertising the mortgaged property for sale; and also give such notices and do all such acts, as are authorized or required by the power contained in the mortgage; and he shall within thirty days after selling the property in pursuance of the power, file a copy of the notice of sale and his affidavit setting forth his acts in the premises fully and particularly in the office of the Registrar of Conveyances, in Honolulu. The affidavit and copy of the notice shall be recorded by the Registrar with a notice of reference thereto in the margin of the record of the mortgage deed if recorded in his office.

SECTION 2. If it appears by such affidavit that he has in all respects complied with the requisitions of the power of sale, in relation to all things to be done by him before selling

the property, and has sold the same in the manner required by such power, the affidavit, or a duly certified office copy of the record thereof, shall be admitted as evidence that the power of sale was duly executed.

SECTION 3. If the mortgage was executed by a man having at the time no lawful wife, or if being married, the wife of the mortgagor joined in the deed in token of her release of dower, the sale of the property in the mode aforesaid shall be effectual to bar all claim and possibility of dower in the property.

SECTION 4. No sale or transfer by the mortgagor shall impair or annul any right or power of attorney given in the mortgage to the mortgagee to sell or transfer the mortgaged property, as attorney or agent of the mortgagor. And when public sale shall be made of the mortgaged property under this Act, the remainder, if any there be, shall be paid over to the owner of the mortgaged property, after deducting the amount of claim and all expenses attending the same.

SECTION 5. This Act shall take effect from and after the date of its approval.

Approved this 18th day of July, A. D. 1874.

KALAKAUA R.

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## CHAPTER XXXIV.

### AN ACT

TO AMEND SECTION 1383 OF THE CIVIL CODE, OF GUARDIANS AND WARDS.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. That Section 1383 of the Civil Code be and the same is hereby amended, to read as follows:

“SECTION 1383. He shall also give public notice of the



time and place of sale by causing notifications thereof to be posted up in the most public places on the Island where the estate to be sold is, and if it be on the Island of Oahu he shall also cause a notice of such sale to be published in such newspaper as the Judge of Probate shall order, at least fourteen days previous to the day of sale. And upon return sales shall obtain from the Judge of Probate an order of confirmation of such sales before making conveyances thereof."

SECTION 2. This Act shall take effect and become a law from and after the date of its approval.

Approved this 18th day of July, A. D. 1874.

KALAKAUA R.

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## CHAPTER XXXV.

### AN ACT

TO AMEND ARTICLE XVIII OF THE CIVIL CODE, OF THE ARRIVAL AND ENTRY OF VESSELS, BY ADDING A NEW SECTION TO BE CALLED SECTION 550A.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. That Article XVIII of the Civil Code be and the same is hereby amended by adding a new Section to be called Section 550A, as follows:

"SECTION 550A. When the costs and charges do not appear in the original invoice, two and one-half per cent. shall be added to the value of the invoice to cover the same, and on the total of which the duty shall be charged."

SECTION 2. This Act shall take effect and become a law from and after the date of publication.

Approved this 18th day of July, A. D. 1874.

KALAKAUA R.

## CHAPTER XXXVI.

## AN ACT

TO AMEND SECTION 1 OF AN ACT ENTITLED "AN ACT TO EXEMPT VOLUNTEER SOLDIERS FROM CERTAIN TAXES." APPROVED ON THE 6TH DAY OF JULY, A. D. 1866.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. That the words "at least one full year previous to the assessment of taxes of each year" in Section 1 of said Act, on lines 11 and 12, be and the same are hereby repealed.

SECTION 2. This law shall take effect from and after the date of its passage.

Approved this 22d day of July, A. D. 1874.

KALAKAUA R.

## CHAPTER XXXVII.

## AN ACT

TO INDEMNIFY THE MINISTER OF FINANCE.

*Whereas*, it appears from the Report of the Minister of Finance, submitted on the 30th day of April last, that the following expenditures were authorized by the Privy and Cabinet Council, viz. :

Funeral of His late Majesty Kamehameha V.....	\$11,661 62
Funeral of His late Majesty Lunalilo.....	11,988 50
Insuring Hawaiian Hotel.....	1,686 00
Webb's Line of Steamers.....	22,000 00
Police of Oahu.....	1,462 65

Amounting to the sum of .....\$48,798 77

*And whereas*, the Minister of Finance has requested to be discharged from further liability on account of said expenditures ; therefore,

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. That the Minister of Finance be, and he is hereby indemnified and discharged from all liability on account of the expenditures above mentioned, and that the same, as inserted in the report of the expenditures of the Hawaiian Treasury during the two years, ending March 31st, 1874, are hereby approved.

Approved this 22d day of July, A. D. 1874.

KALAKAUA R.

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## CHAPTER XXXVIII.

### AN ACT

TO AMEND SECTION 1 OF AN ACT ENTITLED "AN ACT TO AMEND ARTICLE II, CHAPTER VII OF THE CIVIL CODE," APPROVED ON THE 21ST DAY OF AUGUST, A. D. 1860.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. That Section 1 of an Act entitled "An Act to amend Article 2, Chapter 7 of the Civil Code," approved on the 21st day of August, A. D. 1860, be, and the same is hereby amended by striking out the word "licenses" in the second line, and inserting in the place thereof the words "a license," and by striking out the words "two persons," in the second line and inserting in the place thereof the words "one person;" by striking out the words "and one at Lahaina" in the third line; by striking out the words "districts of Honolulu and Lahaina" in the fourth and fifth lines, and inserting in the place thereof the words "district of Honolulu;" by striking out the words "two thousand" in the fifth line, and inserting in the place thereof the words "sixteen thousand;" by striking out the word "each" in the sixth line.

and inserting in the place thereof the word "such;" by striking out the last letter "s" in the word "licenses," in the sixth line; and by striking out the words "two thousand" in the seventh line, and inserting in the place thereof the words "sixteen thousand;" so that the Section as amended shall read as follows:

"SECTION 1. The Minister of the Interior may at any time grant a license for the term of one year to not more than one person resident in Honolulu, to import and sell opium to Chinamen for the term of one year, in the district of Honolulu, upon receiving the sum of not less than sixteen thousand dollars for such license so granted; *provided*, that the said license shall be exposed at public auction at the upset price of sixteen thousand dollars, and sold to the highest bidder."

SECTION 2. This Act shall become a law from and after the date of its passage, and all laws and parts of laws in contravention herewith are hereby repealed.

Approved this 1st day of August, A. D. 1874.

KALAKAUA R.

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## CHAPTER XXXIX.

### AN ACT

TO ABOLISH THE OFFICE OF SECRETARY AT WAR AND OF THE NAVY.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. That from and after the passage of this Act, the Office of Secretary at War and of the Navy is hereby abolished, and His Majesty may, by special commission, confer the duties of said office on a Commander-in-Chief; *provided* that such officer shall not be entitled to receive any additional pay for his services as such; *and further provided*, that no part of any appropriation which may be made for military pur-

poses, shall be drawn from the Treasury, except by order of such Commander-in-Chief, whose duty it shall be to account for the particulars of such disbursements biennially to the Legislature.

SECTION 2. This Act shall take effect from and after the date of its passage, and all laws or parts of laws inconsistent or in contravention herewith, shall be and the same are hereby repealed.

Approved this 1st day of August, A. D. 1874.

KALAKAUA R.

## CHAPTER XL.

### AN ACT

TO FACILITATE THE NEGOTIATION OF A TREATY OR TREATIES OF RECIPROCITY.

*Whereas*, by the 29th Article of the Constitution, it is provided that Treaties involving changes in the Tariff or in any law of the Kingdom, shall be referred for approval to the Legislative Assembly; and whereas, it seems expedient to this Assembly, that His Majesty's Government should negotiate a Treaty or Treaties of Commercial Reciprocity with those nations having Territory bordering on the Pacific Ocean;

*And whereas also*, it does not seem expedient that in case such Treaty or Treaties may be negotiated, the ratification of the same shall be delayed until the next meeting of the Legislature; therefore,

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. That any Treaty or Treaties of Commercial Reciprocity which may be negotiated after the adjournment of this Session of the Legislature and before the next meeting

thereof, and which shall provide for an entrance into any other country or countries of any of the products of this country, in view of and by reason of the admission of any articles, the products of the country or countries so contracting into this country free of duty, or for a duty less than that now imposed, is hereby approved of, and the same shall go into effect and become the law of the land whensoever such Treaty or Treaties may be ratified by His Majesty the King and proclaimed by him to the people; and such duties and none other shall be levied on the articles in such Treaty or Treaties enumerated when introduced from the country or countries so contracting, as in such Treaty or Treaties may be provided.

Approved this 1st day of August, A. D. 1874.

KALAKAUA R.

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## CHAPTER XLI.

### AN ACT

TO AMEND SECTION 479 OF THE CIVIL CODE, RELATING TO CERTIFICATES OF DEPOSIT.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. That Section 479 of the Civil Code be and the same is hereby amended, to read as follows:

“SECTION 479. For the purpose of promoting convenience in business and exchange between the different Islands of the Kingdom, it shall be lawful for the Minister of Finance, in his discretion, to receive any current coin on deposit, to any amount not less than Fifty Dollars, and to issue Certificates of Deposit therefor, of such denominations as he shall deem to be for the public interest, payable to bearer on demand without interest. The said Certificates shall be signed by the Minister of Finance and countersigned by the Registrar

of Public Accounts. The money received in exchange for such Certificates shall be held as a special deposit, to be used only for cancellation of the said Certificates."

SECTION 2. This Act shall take effect and become a law from and after the date of its approval, and all laws or parts of laws inconsistent herewith are hereby repealed.

Approved this 1st day of August, A. D. 1874.

KALAKAUA R.

## CHAPTER XLII.

### AN ACT

TO PROVIDE FOR THE TAKING OF THE OATH OF ALLEGIANCE BY PERSONS IN THE EMPLOY OF THE HAWAIIAN GOVERNMENT.

*Whereas*, it is expedient that all persons who may be appointed to places of profit or emolument under the Hawaiian Government should take the oath of allegiance.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. From and after the passage of this Act every person who may be appointed to any office of profit or emolument under the Government of this Kingdom shall, before entering upon the duties of his office, take and subscribe the oath of allegiance, in manner and form prescribed by Sections 430 and 431 of the Civil Code.

SECTION 2. Every person now holding any office of profit or emolument under the Government of this Kingdom, who shall not already have taken such oath as aforesaid, and who shall neglect or refuse to take such oath within three months from the passage of this Act, shall be deemed to have resigned his office, which shall become vacant at the expiration of such period.

SECTION 3. The said oath may be taken and subscribed by

any person not resident on the Island of Oahu, before any Judge of a Court of Record, who shall immediately forward the same to the Minister of the Interior.

SECTION 4. This Act shall take effect and become a law from and after the date of its passage.

Approved this 1st day of August, A. D. 1874.

KALAKAUA R.

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## CHAPTER XLIII.

### AN ACT

TO AUTHORIZE THE MINISTER OF FINANCE TO NEGOTIATE A LOAN FOR THE SCHOOL FUND BELONGING TO THE BOARD OF EDUCATION.

*Whereas*, during the current biennial period, most of the School Fund belonging to the Board of Education, on deposit at the Hawaiian Treasury, will become due;

*And whereas*, the interest only of said fund having by law been made available for the uses and purposes of the said Board, interest at the rate of twelve per cent. per annum has always heretofore been allowed thereon; now, therefore,

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. That the Minister of Finance, by and with the advice and approval of His Majesty the King in Cabinet Council, is hereby authorized to renew, when due, Exchequer Bonds with coupons attached, for the amount of the School Fund at present on deposit at the Hawaiian Treasury, viz.: Twenty-five Thousand Six Hundred Dollars (\$25,600)—in such sums as shall be convenient, for such a length of time as shall be agreed upon and which shall be specified upon the face of said Bonds, at interest not to exceed twelve per cent. per annum, payable semi-annually.



The said Bonds shall be signed by the Minister of Finance and countersigned by the Registrar of Public Accounts.

SECTION 2. The Minister of Finance is hereby likewise authorized to issue Exchequer Bonds with coupons attached, for all future deposits that shall be made by the Board of Education at the Hawaiian Treasury, on account of the School Fund, and the same shall bear interest at rates not to exceed that stated in the foregoing Section of this Act.

Approved this 1st day of August, A. D. 1874.

KALAKAUA R.

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## CHAPTER XLIV.

### AN ACT

TO ENCOURAGE STEAM NAVIGATION WITH FOREIGN COUNTRIES.

*Whereas*, the maintenance of frequent and regular communication with foreign countries by steam, is important to the welfare of the Kingdom, and cannot fail to promote the prosperity of the Hawaiian Islands;

*And whereas*, to encourage such steam communication certain facilities should be offered; therefore,

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. For the purpose of encouraging the establishment of Steam Communication with Foreign countries, the Minister of the Interior, on behalf of the Hawaiian Government, is hereby authorized, in his discretion, to permit and allow any steam line or lines which may make regular trips and stoppages at the port of Honolulu, to and from foreign countries, to enter and leave and load and discharge freight and passengers at Honolulu on payment of lawful charges thereon, but without port charges for light houses, buoys,

wharfage, or water from the Government pipes ; *provided* such water be not wasted, or used in washing decks.

SECTION 2. That for the purposes aforesaid, the Hawaiian Government will admit free of duty, coals, machinery and supplies required for the use of said steam line or lines, and all vessels arriving laden with coals, machinery, and supplies, imported by said steam line or lines for its own use, shall be exempt from port charges for light house, buoys, or wharfage; unless such vessel or vessels be only partially so laden, in which case they shall be exempt from such charges in the ratio of such cargo imported as aforesaid by such steam line or lines to the entire capacity of the vessel, such rates to be fixed without appeal by the Collector General of Customs. And all property of such steam line or lines shall be exempt from taxation. *Provided, however,* that such vessel or vessels shall be charged wharfage after they have discharged their coals, machinery and supplies, if they remain at the wharf twenty-four hours after such discharge.

SECTION 3. The Minister of the Interior is hereby authorized to set apart for the use of said steam line or lines, a lot or lots of land on the Esplanade for a coal depot, and to allow the storage of machinery and supplies imported for the use of said steam line or lines free of charge.

SECTION 4. This Act shall take effect and become a law from and after the date of its approval.

Approved this 1st day of August, A. D. 1874.

KALAKAUA R.

## CHAPTER XLV.

## AN ACT

FOR THE ENCOURAGEMENT AND AID OF ANY COMPANY NOW INCORPORATED, OR THAT MAY BE HEREAFTER INCORPORATED, FOR THE TRANSMISSION OF INTELLIGENCE BY ELECTRICITY.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. The Minister of the Interior is hereby authorized and empowered to permit and allow any Company now incorporated in any Foreign Country, or that may be hereafter incorporated in this Kingdom or any Foreign Country, for the transmission of intelligence by electricity, to construct lines of Telegraph upon and along the highways and public roads and across the lands and waters of this Kingdom by the appropriation of any trees growing by nature, or by the erection of the necessary fixtures, including posts, piers, abutments, or bridges for sustaining the cords or wires of said lines; *provided*, the same shall not be so constructed as to incommode the public use of said road or highway, or injuriously interrupt the navigation of said waters.

SECTION 2. The Minister of the Interior is hereby authorized to take up and set apart for the use of such Telegraph Company or Companies, sufficient land and premises for Telegraph Stations and other needful uses in operating said Telegraph line or lines, and to grant every facility for the landing of subaqueous cables, Telegraph cord or wires, instruments, apparatus, and all and every article, goods, wares and merchandise appertaining to the building of such Telegraphic line or lines and the transmission of intelligence by electricity, and such articles and merchandise shall be exempt from duties, and the vessel or vessels chartered, or otherwise specially engaged in the laying or maintenance of a Telegraphic

line or lines, shall be exempt from all port charges except pilotage.

SECTION 3. If any person over whose lands said line or lines shall pass, upon which posts, piers or abutments shall be placed, or standing trees appropriated, or such person's lands shall be taken for public use by the Minister of the Interior for necessary stations and other needful uses in operating said Telegraphic lines, shall consider himself aggrieved or damaged thereby, upon sworn application to the Minister of the Interior, the said Minister shall appoint three disinterested persons who shall be sworn before entering upon the duties of their office, and any one of whom shall have power to administer oaths, to act as Commissioners to ascertain and determine upon the compensation to be made to the owner or owners, person or persons interested, for the taking or injuriously affecting such real property as may be required for such Telegraph line or lines.

SECTION 4. The said Commissioners or a majority of them shall determine upon the compensation proper to be made to each of the parties claimant and interested, and upon filing of the certificate of their finding and appraisement with the Minister of the Interior the said Minister is hereby authorized to pay to such owner or owners or persons interested the sum of money to which he may become entitled by reason of such appraisement; such sum of money to be drawn upon any funds in the Treasury not otherwise appropriated.

SECTION 5. The Minister of the Interior on receiving the certificate of appraisement may pay to the Commissioners such reasonable compensation as he may determine upon, and shall have power to fill any vacancy in their number from death or otherwise.

SECTION 6. Any person who shall unlawfully and intentionally injure, molest or destroy any of the said lines, posts, piers or abutments, or the material or property belonging

thereto, shall on conviction thereof be deemed guilty of a misdemeanor, and be punished by a fine not exceeding five hundred dollars, or imprisonment at hard labor not exceeding one year, or both at the discretion of the Court before which the conviction shall be had.

SECTION 7. This Act shall take effect and become a law from and after the date of its approval.

Approved this 4th day of August, A. D. 1874.

KALAKAUA R.

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## CHAPTER XLVI.

### AN ACT

TO AMEND SECTIONS 2 AND 3 OF AN ACT ENTITLED, "AN ACT TO REPEAL AN ACT ENTITLED AN ACT REGARDING THE QUALIFICATION OF ELECTORS," APPROVED DECEMBER 31, 1864, AND TO REGULATE THE QUALIFICATIONS OF ELECTORS FOR REPRESENTATIVES TO THE LEGISLATIVE ASSEMBLY OF THE KINGDOM AS APPROVED THE 24TH OF JUNE, 1868, AND TO REPEAL SECTIONS 1 AND 2 OF CHAPTER 86 OF THE PENAL CODE.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. That Section 2 of said Act be and the same is hereby amended, to read as follows :

"SECTION 2. Every male subject of the Kingdom who shall have paid his taxes, who shall have attained the age of twenty years, and shall have been domiciled in the Kingdom for one year immediately preceding the election, and shall know how to read and write, if born since the year 1840, and shall have caused his name to be entered on the list of voters of his district, as hereinafter provided, shall be entitled to one vote for Representative or Representatives of that district: *provided however*, that no insane or idiotic person, or

any person who shall have been convicted of any infamous crime within this Kingdom, unless he shall have been pardoned by the King, and by the terms of such pardon have been restored to all the rights of a subject, shall be allowed to vote ; and no other persons than those qualified as in this Section provided shall be allowed to vote at any election for Representatives to the Legislative Assembly of this Kingdom."

SECTION 2. That Section 3 of said Act be and the same is hereby amended, to read as follows :

"SECTION 3. The Assessors of taxes in the several districts shall carefully record upon their several assessment registers, in separate columns, to be provided for that purpose, according to the form immediately following this Section, the names of all persons possessing the requisite qualifications for voters as provided by Section 2 of this Act ; and if there shall be any persons in their respective districts who shall be possessed of the requisite qualifications to justify their voting, as provided by the sixty-second Article of the Constitution as amended, and yet may be disqualified by any Constitutional reason, they shall note the same carefully against such name on their said lists in the columns set apart for remarks."

QUALIFICATION OF VOTERS.

Name	Age	How Long Domiciled	Read and Write (if born since 1840)	Remarks

SECTION 3. This Act shall take effect and become a law on the first day of June, A. D. 1875, and Sections 1 and 2 of Chapter 86 of the Penal Code shall be, and the same are hereby repealed.

Approved this 7th day of August, A. D. 1874.

KALAKAUA R.

## CHAPTER XLVII.

## AN ACT

TO PROVIDE FOR THE CODIFICATION AND REVISION OF THE LAWS  
OF THE KINGDOM.

*Whereas*, the existing laws of the Kingdom are defective in many essential particulars, and from continual amendments having been made therein are inconvenient of reference, and from various decisions having been made by the Supreme Court adopting in whole or in part the principles of the laws of other countries, the law has become doubtful;

*And whereas*, for the foregoing and other reasons it is expedient that the laws should be codified and revised; therefore,

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. That it shall be lawful for and His Majesty the King is hereby empowered to appoint three Commissioners whom His Majesty may deem competent for the purpose, to codify and revise the existing laws of the Kingdom, including the laws passed during this present session, adding notes and references to important decisions of Court, and to report the same to the next session of the Legislative Assembly.

SECTION 2. The sum of three thousand five hundred dollars is hereby appropriated for the expense of preparing such Code, which sum the Minister of Finance is hereby authorized to pay to such Commissioners in such sums as may be deemed proper.

SECTION 3. This Act shall become a law from and after the date of its approval.

Approved this 7th day of August, A. D. 1874.

KALAKAUA R.

## CHAPTER XLVIII.

## AN ACT

## GIVING TIME TO MORTGAGORS TO REDEEM IN CERTAIN CASES.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. That after breach of the condition, if the mortgagee or any one claiming under him is desirous of obtaining possession of the premises for the purposes of foreclosure, he may proceed in either of the following ways, viz.:

*First.* He may enter into possession and hold the same by consent in writing of the mortgagor or the person holding under him.

*Second.* He may enter peaceably and openly if not opposed in the presence of two witnesses and take possession of the premises, in which case a certificate of the fact and time of such entry shall be made and signed and sworn to by such witnesses before any Judge of a Court, and such written consent and such certificate shall be recorded in the Registry of Conveyances, and no such entry shall be effectual unless such certificate or consent in writing shall be recorded within thirty days next after such entry is made.

SECTION 2. The mortgagee in possession is authorized to make such expenditure as is necessary to carry on the estate or to keep the same in good condition, giving credit for the income, and the balance shall be placed in the account for or against the estate as the case may be, if the mortgagor makes a tender for redemption.

SECTION 3. Such possession obtained in either of the two modes above described being continued for the term of one year shall forever foreclose the right of redemption.

Approved this 7th day of August, A. D. 1874.

KALAKAUA R.



## CHAPTER XLIX.

### AN ACT

TO ALLOW THE PEDDLING OF IMPORTED GOODS IN THIS KINGDOM.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. The Minister of the Interior may grant a License to any person or persons applying in writing for the same, permitting them to Peddle Goods, Wares and Merchandise, which are the Produce of Foreign Countries, for one year; *provided*, that the said person or persons shall pay the sum of Fifty Dollars.

SECTION 2. It shall not be lawful for any person following the above mentioned avocation to allow debts to be contracted to him for any sum above Five Dollars by any single person trading with him, and whoever violates the above shall have no redress in any Court of this Kingdom.

SECTION 3. This Act prohibits all Chinamen who are not naturalized citizens from following the above avocation.

SECTION 4. This Act shall take effect and become a law from and after the date of its passage.

Approved this 28th day of July, A. D. 1874.

KALAKAUA R.

## CHAPTER L.

### AN ACT

TO AMEND SECTIONS 1452 AND 1453 OF THE CIVIL CODE.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. That Section 1452 of the Civil Code be and the same is hereby amended to read as follows:

“SECTION 1452. Every illegitimate child shall be considered as an heir to his mother, and shall inherit her estate, in whole or in part, as the case may be, in like manner as if he had been born in lawful wedlock. And in case the father of such illegitimate child is known, and he has acknowledged such child as his own, the said father shall have the custody, maintenance and education of such child, and such child shall have the same rights in the same manner as if born in lawful wedlock, and upon the death of such reputed father intestate, such child so acknowledged by him as his own, upon such fact being established to the satisfaction of the Probate Judge, shall inherit his estate.”

SECTION 2. That Section 1453 of the Civil Code be and the same is hereby amended to read as follows:

“SECTION 1453. If any illegitimate person shall die intestate, without leaving lawful issue or a widow, his estate shall descend to his mother; but if he leave a widow she shall inherit one-half, and his mother the other half, and if his mother be not living, but his widow is, then the widow shall take the whole. *Provided always*, that if the estate come through the reputed father, then the estate shall descend one-half to the widow if living, and if not, one-half to the mother and the other half to the brothers and sisters of the reputed father, and to their children and heirs by right of representation, and if he leave no widow or mother then the whole estate shall descend to the brothers and sisters of such reputed father and to their children and heirs by right of representation.”

SECTION 3. This Act shall take effect and become a law from and after the date of its approval.

Approved this 1st day of August, A. D. 1874.

KALAKAUA R.

## CHAPTER LI.

### AN ACT

TO REPEAL CHAPTER XVI OF THE LAWS OF 1870, BEING "AN ACT RELATING TO DIVORCE," APPROVED ON THE 18TH DAY OF JULY, A. D. 1870, AND TO RE-ENACT "AN ACT TO PERMIT DIVORCED PERSONS TO MARRY AGAIN," APPROVED ON THE 24TH DAY OF MAY, A. D. 1866.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. That Chapter XVI of the laws of 1870, being "An Act relating to Divorce," approved on the 18th day of July, A. D. 1870, be and the same is hereby repealed.

SECTION 2. That an Act entitled "An Act to permit Divorced Persons to marry again," approved on the 24th day of May, A. D. 1866, be and the same is hereby re-enacted.

SECTION 3. This Act shall become a law from and after the date of its approval, and all laws or parts of laws in contravention herewith are hereby repealed.

Approved this 1st day of August, A. D. 1874.

KALAKAUA R.

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## CHAPTER LII.

### AN ACT

TO QUIET TITLES IN LANDS CLAIMED BY RIGHT OF INHERITANCE.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. Any person claiming title in the fee of land by right of inheritance may file his sworn petition with any Justice of the Supreme Court, or of any Circuit Court, within the territorial jurisdiction of which Circuit Court the land so claimed is situated, but if there be lands claimed under the

same title situate in two or more Judicial Circuits of the Kingdom, any Justice of the Supreme Court or the Circuit Court within whose territorial jurisdiction the deceased from whom the lands are derived, had his residence, may have jurisdiction; and the said petition shall set forth as follows, to wit:

*First.* Name and residence of petitioner.

*Second.* Location and brief description of land claimed.

*Third.* Whether or not the petitioner is in actual possession by deed or otherwise with claim of ownership of fee; the names and residences of persons who are in such possession.

*Fourth.* Name and residence of ancestor who last died seized and possessed of said land as in fee, or under land commission award, Royal Patent, or under presumptive title, the date and place of such ancestor's death, and if intestate or not, and if widow, children, or statutory heirs survived him, if so, name them fully, with their residences.

*Fifth.* Names and residences of parties claiming title in said land if known to the petitioner.

*Sixth.* Prayer for process to claimants to come and show cause why petitioner's claim shall not be confirmed by decree of Court, and for public notice to all concerned.

SECTION 2. On payment of costs required, process as prayed for shall issue, returnable before such Justice of the Supreme Court or to the Circuit Court, sitting in Banco at the regular term of Court, which shall ensue next after the expiration of twenty-one days from the service of such process on the parties claiming such land; notice of such petition and time and place ordered for hearing the same, shall also be published in the English language in an English newspaper and in the Hawaiian language in a Hawaiian newspaper, in Honolulu, for not less than three weeks before the first day of term at which the petition shall be in order for hearing; in no case shall such petition be heard, until the foregoing provisions shall be complied with, and an affidavit of publication of such order be filed.

SECTION 3. Such petition shall be heard by such Justice of the Supreme Court or by the Circuit Court in Banco, at the regular statutory terms of the Supreme Court or Circuit Courts, and at no other times and the proceedings shall be had according to the usual course of proceedings in Equity by *viva voce* evidence or by interrogatories and cross-interrogatories duly filed, and the evidence of parties to the suit or in interest may be received.

SECTION 4. If the said Justice of the Supreme Court or the Circuit Court, shall be duly satisfied that the petitioner's or other claimant's claim is substantiated in whole or in part by legal evidence, he or it, may issue a decree setting forth the proceedings had in the cause and adjudging the petitioner or other claimant to be entitled to said land in fee in whole or in part as may be shown, and enjoining all persons from interfering therewith.

SECTION 5. If no appeal be duly taken from such decree, or if appealed from, when final decree is made, a copy thereof shall be filed by order of the Court with the Registrar of Conveyances within sixty days of the date of said decree, who shall record the same in books of record kept for the purpose, and such record shall be notice to all persons of such decree, and such decree when so recorded, or a certified copy thereof, may be pleaded in bar of any subsequent action brought by parties or privies of the original proceedings hereinbefore provided for.

SECTION 6. Appeals from such decree may be taken by any party to such proceedings within ten days after the same shall be rendered, due notice of the rendition thereof being given, by payment of all costs accrued and on depositing with the Appellate Court Ten Dollars for costs thereafter to accrue; appeals will be taken on the record which the Justice or the Circuit Court that first hears the cause, will make or cause to make including a statement of the evidence; and at the hear-

ing on the appeal new evidence may be introduced by either party, except that witnesses who testify before the Justice or the Circuit Court below, shall not be allowed to testify on appeal except by permission of the Appellate Court for good cause; appeals shall be from the single Justice or the Circuit Court to the Supreme Court in Banco; no person shall be a party to the appellate proceedings who was not a party to the proceedings before the Justice of the Supreme Court or in the Circuit Court below, but the Appellate Court if satisfied that any person claiming title in the land, was improperly debarred or prevented from being heard before such Justice or the Circuit Court without fault of his own, may remand the cause for re-hearing before such Justice or the Circuit Court below, on such new party paying the costs of such re-hearing.

SECTION 7. The said Justice of the Supreme Court or the Circuit Court, having jurisdiction of the cause shall have the power to partition the Real Estate according to the decree made, to compel the appropriate conveyances therefor, and to issue writs of possession when necessary.

SECTION 8. The costs in proceedings under this Statute shall be the same as in the Probate Courts. They may be awarded or apportioned according to the discretion of the Court, and execution may issue therefor.

SECTION 9. *Provided, however,* that the provisions of this Act shall not apply to wills previously made by owners of property, nor to cases which have been adjudicated upon by the Supreme and Circuit Courts.

Approved this 1st day of August, A. D. 1874.

KALAKAUA R.

## CHAPTER LIII.

## AN ACT

TO AMEND SECTION 237 OF THE CIVIL CODE, AND REPEAL THE ACT ENTITLED "AN ACT TO AMEND SECTION 237 OF THE CIVIL CODE, APPROVED 23D AUGUST, 1862.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. That Section 237 of the Civil Code be and the same is hereby amended to read as follows :

"SECTION 237. It shall be the duty of every pound-master to publish in some newspaper, if any be published on his island, both in the Hawaiian and English languages, or post written notice weekly in both languages in three public places in his district, and also to cause to be proclaimed *viva voce* in said languages weekly an account of all estrays in his pound; and it shall be the duty of every pound-master to inform by mail, every individual out of his district who shall leave with him a copy of his brand, of any estray bearing the said brand which shall be lodged in the pound under his charge, and if the owners do not claim such estrays, and pay the pound fees within fifteen days from the date of the impounding, such notice having been given as above provided, it shall be lawful for the pound-master to sell such estrays at public auction."

SECTION 2. This Act shall take effect from and after the date of its publication, and the Act approved on the 23d day of August, A. D. 1862, amending this Section, be and the same is hereby repealed.

Approved this 4th day of August, A. D. 1874.

KALAKAUA R.

## CHAPTER LIV.

## AN ACT

TO AUTHORIZE A NATIONAL LOAN, AND TO DEFINE TO WHAT USES SUCH LOAN SHALL BE DEVOTED.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. That His Majesty the King is hereby authorized to borrow, on the credit of the Hawaiian Government, within six years after the passage of this Act, a sum not exceeding a Million of Dollars, or so much thereof as may be deemed desirable, for the purposes in this Act hereafter set forth; for which His Majesty may cause to be issued Coupon Bonds, Registered Bonds, or Treasury Notes, in such portions of each as he may deem advisable, subject to the provisions of the second section of this Act. The bonds to bear interest not to exceed seven and three-tenths per cent. per annum, payable semi-annually, redeemable in not less than ten nor more than twenty years.

SECTION 2. *And be it further enacted*, that stock shall be issued for the amount so borrowed bearing interest at seven and three-tenths per cent. per annum; and the Minister of Finance is hereby authorized, with the consent of His Majesty the King, to cause to be prepared Certificates of Stock to be issued, which shall be signed by the Minister of Finance, and countersigned by the Registrar of Public Accounts, and sealed with the Seal of the Treasury Department, and made payable to the parties lending the money represented by such certificates or their assignees; which certificates may be transferred on the books of the Treasury, under such regulations as the Minister of Finance shall establish. *Provided always*, That when coupons for the payment of interest shall be attached, any certificate to which such coupons may be attached, may



be assigned and transferred by delivery of the same, without being transferred on the books of the Treasury. And the Minister of Finance may also issue, by authority of His Majesty the King, in exchange for coin, as part of this loan, or as payment for salaries, or other dues from the Hawaiian Government, Treasury Notes, payable in five years from the date thereof, of a denomination not less than fifty dollars, bearing interest at seven and three-tenths per cent. per annum; *provided*, that the Treasury Notes of this description, thus issued, shall not exceed in the aggregate, at any time, One Hundred Thousand Dollars. *And provided always*, that no person shall be compelled to take such notes in payment for salary or other dues if he should be unwilling so to do. And the faith of the Hawaiian Government is hereby pledged for the due payment of the interest and the redemption of the principal of the Stock and Treasury Notes in coin, when said interest and principal may become due.

SECTION 3. *And be it further enacted*, that the Treasury Notes, authorized by the preceding section to be issued, may when they shall be returned into the Treasury, be re-issued, or others substituted for them, at any time during the entire period of twenty years, for which this loan is authorized; *provided always*, that all such notes shall be ultimately payable within the aforesaid term of twenty years.

SECTION 4. *And be it further enacted*, that the Minister of Finance is authorized to pay out of any moneys in the Treasury, not otherwise appropriated, such sums as may be necessary for the preparing of Certificates of Stock and Treasury Notes, and for negotiating and accomplishing the loan authorized by this Act; *provided always*, that when the loan shall have been accomplished, the expenses aforesaid shall be charged to the account of the said loan.

SECTION 5. *And be it further enacted*, that the Minister of Finance with the approval of the Board provided for in Sec-

tion 6 of this Act, may negotiate the loan authorized by this Act, or any portion of it, in any foreign country, if it shall seem most advantageous so to do ; and in such case he may make the principal and interest payable at any designated place in any foreign country ; and he is hereby authorized to appoint such agent or agents as he may deem necessary for negotiating such loan under his instructions or paying the interest thereon, and to fix the compensation of such agents, and to prescribe all such rules, regulations and modes regarding the negotiation of the loan, and its transmission to this country, as he may deem necessary. And the Minister of Finance, with the approval of the said Board, is further authorized to dispose of the Bonds by this Act authorized, at such rates as may be deemed by him for the public advantage.

SECTION 6. *And be it further enacted*, that whereas the loan by this Act authorized is intended for the payment of the existing national debt whenever the same may become due, and the assistance of the agricultural and other productive interests of the country, therefore, whensoever the said loan shall be accomplished, in whole or in part, His Majesty's Cabinet and a Committee of three persons from the Privy Council of State, appointed by His Majesty the King in Privy Council, shall constitute a Board, with full power to lend any portion of the same on promissory notes, secured by mortgage on real estate, or on the products of the soil or manufactures of this country, or on machinery, whether home made or imported ; *provided always*, that the advances made on produce or manufactured goods shall not exceed two-thirds of the market value thereof at the time such advance may be made. And the Board by this Section constituted, shall have full power to make such conditions regarding insurance, rate of interest, time and place of payment of interest, or other conditions to secure the re-payment of the sums so advanced, as may appear to them advisable, and the Minister of Finance

shall report, at each session of the Legislature the sums so advanced, and likewise the amounts received.

SECTION 7. *Be it further enacted*, that such portion of the money realized from the loan by this Act authorized, as may by the Board authorized by the 6th Section be deemed advisable, may be devoted to the building of warehouses for the reception of produce, and for the promotion of steam navigation between the islands, and the aid of immigration. And the securities received by the government, as in the 6th Section set forth, shall be preserved intact as a fund wherewith to pay the debentures given for the loan, and shall be used for no other purpose whatsoever.

Approved this 7th day of August, A. D. 1874.

KALAKAUA R.

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## CHAPTER LV.

### AN ACT

TO AMEND SECTION 2 OF AN ACT ENTITLED "AN ACT TO AMEND SECTIONS 130 AND 131 OF THE CIVIL CODE," APPROVED ON THE 31ST DAY OF DECEMBER, 1864.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. That Section 2 of an Act entitled "An Act to amend Sections 130 and 131 of the Civil Code," approved on the 31st day of December, A. D. 1864, be and the same is hereby amended by striking out the word "three" in the third line and inserting in the place thereof the word "one," so that the said Section as amended shall read as follows :

SECTION 2. Section 131 of the Civil Code shall be and hereby is amended by striking out the words "forty dollars" in the third line and substituting therefor the words "one hundred dollars" if the license be for Honolulu, and fifty

dollars if the license be for either Lahaina or Hilo, and by inserting the following words after the word harbor master, "or contribute in any way to the infraction of the laws of the kingdom."

SECTION 3. This Act shall take effect and become a law from and after the date of its approval.

Approved this 7th day of August, A. D. 1874.

KALAKAUA R.

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## CHAPTER LVI.

### AN ACT

#### TO RESTRICT THE IMPORTATION AND SALE OF OPIUM.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. The importation of Opium or any preparation thereof into this Kingdom except as authorized by Section 2 of this Act is hereby strictly prohibited, and whoever shall import, sell, give, or furnish Opium, or any preparation thereof to any person in this Kingdom except as provided in said Section 2, shall be imprisoned for a term of not more than two years, with or without hard labor, in the discretion of the Court.

SECTION 2. The Board of Health may, from time to time, import such quantities of Opium as the said Board shall deem necessary for Medical purposes in this Kingdom, and shall furnish it at cost to any Physician or Surgeon having a Diploma or Certificate from some Medical College or University and who has a License to Practice Medicine in this Kingdom, also to the person in charge of the Medicines at the Leper Settlement at Molokai, to be used exclusively for Medical purposes. And the said Board may also furnish it to the

Captain or Surgeon of any vessel bound to a Foreign Port for use on board said vessel.

SECTION 3. Any person who shall have in his possession Opium, or any preparation thereof, which he shall not have received from the Board of Health or from a duly Licensed Physician or Surgeon as prescribed in Section 2 of this Act, shall forfeit such Opium or preparation thereof to the Hawaiian Government, and the same shall be seized and delivered to the Board of Health, and such person shall be imprisoned for a term of not more than one year, with or without hard labor, in the discretion of the Court.

SECTION 4. Any Physician or Surgeon who shall sell, prescribe, or furnish Opium, or any preparation thereof to any person in the habit of smoking, or otherwise using the same, or to any other person except as a remedy in case of sickness, shall forfeit to the Hawaiian Government all Opium, or preparations thereof which may be in his possession, and it shall be seized and delivered to the Board of Health, and he shall be fined in the sum of not less than Twenty-five nor more than One Hundred Dollars, and if he shall violate this Act more than once he shall not again be furnished with Opium by the Board of Health.

SECTION 5. Nothing in this Act shall be construed to exempt any person or vessel from the pains and penalties prescribed by the laws of the Kingdom against smuggling.

SECTION 6. This Act shall take effect and become a law one year from and after the date of its publication, and all laws or parts of laws opposed to or inconsistent with its provisions are hereby repealed.

Approved this 8th day of August, A. D. 1874.

KALAKAUA R.

## CHAPTER LVII.

### AN ACT

PROVIDING FOR THE REDUCTION OF TERMS OF IMPRISONMENT IN CERTAIN CASES.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

The Marshal shall require the Keeper of every Jail to keep a record of the conduct of each convict whose term of imprisonment is not less than three months, and for every month that a convict appears by such record to have faithfully observed all the rules of the prison and to have conducted himself in all respects properly, there shall be deducted from the whole term of his sentence as follows: Two working days from every thirty days. Said record shall be shown in Privy Council when considering petitions for Royal clemency.

Approved this 8th day of August, A. D. 1874.

KALAKAUA R.

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## CHAPTER LVIII.

### AN ACT

TO AMEND THE LAW IN RELATION TO THE ASSESSMENT AND  
COLLECTION OF TAXES.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. That Section 490 of the Civil Code shall be, and is hereby amended to read as follows:

“SECTION 490. The Minister of Finance, with the approval of the King, shall appoint annually, on or before the first day of July, an Assessor for each Taxation District of the King-

dom, whose duty it shall be, under the direction of said Minister, to make, on or before the first day of September, a faithful Assessment of all the Taxes imposed by law within their respective districts, and to furnish an accurate list of the same, according to blank forms furnished by said Minister, which shall exhibit the names of all persons assessed, and the different items of Taxation charged against them. In case of non-residents, the list shall state the residence of Tax Payers, if their residence is known, otherwise such residence must be described as unknown."

SECTION 2. That Section 492 of the Civil Code shall be, and is hereby amended to read as follows:

"SECTION 492. It shall be the duty of the Assessor of each district to call at the usual place of residence or business of every Tax Payer within such district, for the purpose of ascertaining the amount of Taxes each person is liable to pay; or to give public notice, by written or printed advertisement, to the inhabitants of the different settlements or convenient points thereof, to meet him at a specified time and place within such settlements or points for that object; and if any person, when so called upon, or notified shall decline or refuse to give a list of the persons residing with him liable to Taxation, or of his or their animals, liable to specific Taxes, or of any property belonging to him or them, subject to Assessment, or shall decline to make oath to the accuracy of the list of persons, animals, and other property he is required to furnish, the said Assessor may make such according to the best information within his reach, and the same shall be binding upon all persons interested."

SECTION 3. That Section 493 of the Civil Code shall be, and is hereby amended to read as follows:

"SECTION 493. Such Assessor may, in his discretion, administer the following oath to any person who shall give him a list of persons, animals, or property of any description liable to Taxation, as prescribed by law:

“ You do solemnly swear that the list of persons residing with you, and of animals and other property in your possession, or owned by you, liable to Taxation which you have given is true; so help you God.

“ Any person refusing to take the oath aforesaid shall be fined not exceeding Fifty Dollars, or imprisoned not exceeding thirty days, in the discretion of the Court, on conviction of such refusal before any Police or District Justice.

SECTION 4. That Section 494 of the Civil Code shall be, and is hereby amended to read as follows:

“ SECTION 494. Whenever such Assessor requires a list as aforesaid, and no person shall be found to furnish the same, the Assessor shall leave a notice at the residence or place of business of the Tax Payer when he resides in the district, or post up a written or printed advertisement at some public place in the vicinity, requiring such Tax Payer to furnish such list on or before the first day of September next ensuing, and in case such list is not furnished on or before such date, the Assessor shall proceed to make out a list according to the best of his knowledge, which shall be binding on all parties.”

SECTION 5. That Section 495 of the Civil Code shall be, and is hereby amended to read as follows:

“ SECTION 495. It shall be the duty of the Assessor of each Taxation District of this Kingdom, on or before the first day of September in each year, to compute and deliver to the Governor of their respective Islands, two copies of their Tax list as hereinbefore prescribed, one of which shall be immediately forwarded by the Governor to the Minister of Finance.”

SECTION 6. That Section 14 of an Act to amend the law in relation to the Assessment and Collection of Taxes, approved June 30, 1860, shall be, and is hereby amended to read as follows:

“ SECTION 14. The Police Magistrate, or District Justice where there is no Police Justice, and two disinterested persons to be appointed by the Minister of Finance shall con-



stitute a Board of appeal for each Taxation District of this Kingdom from the decision of the Assessor of Taxes; *Provided always*, that where the Police Magistrate or District Justice shall have been appointed Assessor of his district the Minister of Finance shall appoint a substitute to act in his place on the said Board of appeal."

SECTION 7. That Section 2 of the Act entitled An Act to amend An Act entitled An Act to amend the law in relation to the Assessment and Collection of Taxes approved July 29th, 1872, shall be, and is hereby amended to read as follows:

"SECTION 2. The members of the Board appointed by the Minister of Finance, shall receive out of the Public Treasury, compensation for their services while on the Board, at a rate not exceeding five dollars per day for each day's actual attendance, and where a substitute for the Police or District Justice is appointed as provided in Section 14, as aforesaid, the said substitute shall be paid by the said Magistrate or Justice, at the same rate as the said appointees of the Minister of Finance."

SECTION 8. The Assessor of each Taxation District shall on or before the first day of September in each year, give written notices to those owners of real estate within their respective districts who are non-residents of such district and within this Kingdom, describing the property assessed to them, and stating the proposed valuation for such property.

SECTION 9. That Section 503 of the Civil Code be, and the same is hereby amended to read as follows :

"SECTION 503. The said Collector shall call on each Tax Payer at his residence, or usual place of business, or otherwise give notice to the Tax Payers, to meet him at convenient points, or settlements of the district, in the months of September, October and November, to demand payment of the Taxes assessed as aforesaid; and if any person shall neglect or refuse to pay his Taxes, when so called upon or notified, until the last day of November, the Tax Collector may levy

the same by distress upon so much of the goods and chattels of such person, as he may deem sufficient for the payment of Taxes and expenses of collection, and sell the same upon the order of the District Judge or Police Magistrate, after a public notice of five days. In case no property can be found whereon to levy, then if such person be able bodied, may, by sentence of said Judge or Magistrate, be imprisoned at hard labor until he discharges the amount of his Tax by labor on the public roads, or other public works, at the rate of twenty-five cents per day.

SECTION 10. That Sections 1, 2, 3, 4 and 5, of an Act to amend the law in relation to the Assessment and Collection of Taxes, approved on the 30th day of June, 1860, and the Act entitled "An Act to amend an Act entitled an Act to amend the law in relation to the Assessment and Collection of Taxes," approved the 29th day of July, 1872, be and the same are hereby repealed.

SECTION 11. This Act shall become a law from and after the date of its approval.

Approved this 8th day of August, A. D. 1874.

KALAKAUA R.

# CHAPTER LIX.

## AN ACT

MAKING SPECIFIC APPROPRIATIONS FOR THE USE OF THE GOVERNMENT DURING THE TWO YEARS, WHICH WILL END WITH THE THIRTY-FIRST DAY OF MARCH, IN THE YEAR ONE THOUSAND EIGHT HUNDRED AND SEVENTY-SIX.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled.*

SECTION 1. The following sums, amounting to Nine Hundred and Seventy-six Thousand Three Hundred and Three Dollars and Eighty-seven Cents, are hereby appropriated out of any money in the Treasury for the service of the Biennial Fiscal Period, commencing with April 1st, 1874, and ending with March 31st, 1876, viz:

### CIVIL LIST.

His Majesty's Privy Purse and Royal State.....	\$ 45,000 00
His Royal Highness Prince Leleiohoku.....	5,000 00
His Majesty's Chamberlain and Secretary.....	5,000 00
	<hr/>
	\$ 55,000 00

### PERMANENT SETTLEMENTS.

Her Majesty Queen Emma.....	\$ 12,000 00
His Excellency P. Nahaolelua.....	3,000 00
His Excellency P. Kanoa.....	2,400 00
Methuselah Mahuka.....	600 00
	<hr/>
	\$ 18,000 00

### LEGISLATURE AND PRIVY COUNCIL.

Expenses of Legislature, 1874.....	\$ 15,000 00
Secretary Privy Council.....	200 00
Stationery and Incidentals Privy Council.....	100 00
	<hr/>
	\$ 15,300 00

### JUDICIARY DEPARTMENT.

Salary of Chancellor and Chief Justice.....	\$ 10,000 00
“ of First Associate Justice.....	8,000 00
“ of Second Associate Justice.....	8,000 00
“ of Clerk Supreme Court.....	4,000 00
“ of Deputy Clerk Supreme Court.....	3,000 00
“ of Interpreter of Supreme and Police Courts.....	2,000 00
“ of Circuit Judge of Maui.....	3,000 00
“ of Circuit Judges of Hawaii.....	3,600 00
“ of Circuit Judge of Kauai.....	2,000 00

Salary of Police Judge, Honolulu, Oahu.....	\$ 3,000 00
“ of Police Judge, Hilo, Hawaii.....	1,000 00
“ of Police Judge, Lahaina, Maui.....	1,200 00
“ of District Judge, Puna, Hawaii.....	600 00
“ of District Judge, Kau, Hawaii.....	600 00
“ of District Judge, North Kona, Hawaii.....	600 00
“ of District Judge, South Kona, Hawaii.....	600 00
(If both offices are held by one Judge, \$900)	
“ of District Judge, North Kohala, Hawaii.....	600 00
“ of District Judge, South Kohala, Hawaii.....	600 00
“ of District Judge, Hamakua, Hawaii.....	600 00
“ of District Judge, Wailuku, Maui.....	800 00
“ of District Judge, Makawao, Maui.....	600 00
“ of District Judge, Honuaula, Maui.....	400 00
“ of District Judge, Hana, Maui.....	600 00
“ of District Judge, Kaupo, Maui.....	600 00
(If both offices are held by one Judge, \$1,000)	
“ of District Judge, Molokai.....	600 00
“ of District Judge, Lanai.....	400 00
“ of District Judge, Ewa and Waianae, Oahu.....	600 00
“ of District Judge, Waialua and Koolauloa, Oahu,...	600 00
“ of District Judge, Koolaupoko, Oahu.....	600 00
“ of District Judge, Hanalei and Anahola, Kauai.....	600 00
“ of District Judge, Lihue, Kauai.....	600 00
“ of District Judge, Koloa, Kauai.....	600 00
“ of District Judge, Waimea, Kauai.....	600 00
“ of Clerk, 2d Judicial Circuit Court.....	400 00
“ of 1st Clerk 3d Judicial Circuit Court.....	300 00
“ of 2d Clerk 3d Judicial Circuit Court.....	300 00
“ of Clerk 4th Judicial Circuit Court.....	300 00
Stationery and Incidentals for all the Courts, inclusive of expenses of Printing and Postage.....	1,500 00
Expenses of Supreme Court.....	1,700 00
Expenses of Court, 2d Judicial Circuit.....	1,500 00
Expenses of Court, 3d Judicial Circuit.....	1,500 00
Expenses of Court, 4th Judicial Circuit.....	800 00
Purchase of Law Books.....	500 00
For Services of J. W. Ukumea as District Judge, to March 31st, 1874.....	100 00
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	\$ 70,100 00

## FOREIGN AFFAIRS AND WAR.

Salary of Minister.....	\$ 8,000 00
Salary of Secretary.....	4,000 00
Office Expenses Foreign Agents.....	1,500 00
Postage and Incidentals.....	1,500 00
Expenses Foreign Missions.....	1,500 00
Salary of Charge d'Affaires, London.....	1,600 00
Support of Military.....	47,470 00
For the Relief and Return of Indigent Native Hawaiians from Abroad.....	1,500 00
	<hr/>
	\$ 67,070 00

## INTERIOR DEPARTMENT.

Salary of Minister of Interior.....	\$ 8,000 00
“ of Chief Clerk.....	4,000 00

Salary of Second Clerk.....	\$ 3,000 00
“ of Governor of Oahu.....	3,600 00
“ of Governor of Maui.....	3,600 00
“ of Governor of Kauai.....	2,400 00
“ of Governor of Hawaii.....	3,600 00
“ of Clerk of Governor of Oahu.....	800 00
“ of Clerk of Governor of Maui.....	1,200 00
“ of Clerk of Governor of Kauai.....	800 00
“ of Clerk of Governor of Hawaii.....	1,200 00
“ of Jailer of Oahu Prison.....	3,000 00
“ of Water Superintendent and Clerk of Market.....	3,600 00
“ Postmaster General.....	5,000 00
“ 1st Clerk, Post Office.....	2,400 00
“ 2d Clerk, Post Office.....	1,200 00
Pay of Postmasters, Hawaii.....	800 00
Pay of Postmasters, Maui, Molokai and Lanai.....	1,000 00
Pay of Postmasters, Kauai.....	400 00
Pay of Mail Carriers.....	7,126 00
Incidentals of Post Office.....	3,074 00
Pay of Road Supervisors.....	9,000 00
Pay of Keeper Royal Mausoleum.....	600 00
Expenses Mausoleum.....	250 00
Pay of Messengers.....	2,288 00
Incidentals Interior Office.....	2,000 00
Purchase of Road Stock.....	1,000 00
Road Damages.....	1,000 00
Roads and Bridges for the Group.....	10,000 00
Leper Establishment.....	55,000 00
Traveling Physicians and Nurses.....	12,000 00
General Expenses, Board of Health.....	12,000 00
Expenses of Doctors Powell and Akana for Curing the Leprosy.....	6,000 00
Insane Asylum.....	10,000 00
Expenses under the Act to Mitigate, &c.....	4,000 00
Aid to Queen's Hospital.....	21,000 00
Government Surveying.....	12,000 00
Government Printing.....	1,000 00
Support of Prisoners.....	6,000 00
Fire Department, Honolulu.....	7,200 00
Interpreting and Translating.....	300 00
Expenses Bureau Water Works.....	5,000 00
Inter-Island Steam Navigation.....	10,000 00
Running Expenses Steamer "Pele".....	8,000 00
Subsidy to Vessel or Vessels to Run Between Molokai and Maui.....	1,000 00
Anchors and Buoys.....	2,000 00
Dredging Honolulu Harbor.....	5,000 00
Repairs of Wharves.....	10,000 00
Fencing Steam Wharf.....	1,000 00
Light House, Honolulu.....	1,000 00
Light House, Lahaina.....	500 00
Light House, Hilo.....	400 00
Light House, Kawaihae.....	300 00
Repairs Government Buildings.....	8,000 00
Stores and Warehouses.....	17,000 00
Lock-up, North Kona, Hawaii.....	500 00
Improvement of Present Palace and Grounds.....	15,000 00

Encouraging Agriculture and Immigration.....	\$ 50,000 00
Water Supply for Honolulu.....	25,000 00
Finishing New Government Buildings.....	10,000 00
Library.....	500 00
Rent of Wharf Lot.....	2,000 00
Insurance Hawaiian Hotel.....	1,686 00
Temporary Allowance to the Widow of the late Hon. J. W. Lonoaea.....	400 00
Wharf and Extension of Market.....	3,000 00
For Improvement of Boat Landing at Pelekunu, Molokai. For Damages to Personal Property Sustained by the Riot of February 12th, 1874.....	500 00
Expenses of Royal Progress, 1874.....	1,291 63
	3,313 07

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\$414,828 70

#### FINANCE DEPARTMENT.

Salary of Minister.....	\$ 8,000 00
“ of Registrar of Public Accounts.....	4,000 00
“ of Collector General.....	6,000 00
“ of Deputy Collector.....	3,600 00
“ of Surveyor and Guard.....	2,400 00
“ of Store-keeper.....	2,400 00
“ of Statistical Clerk.....	2,400 00
Assistant Guards, Honolulu and other Ports.....	1,800 00
Incidentals of Custom House.....	1,500 00
Salary of Collector, Kawaihae.....	300 00
Salary of Collector, Kealahou.....	100 00
Custom House Boat.....	600 00
Hospital Fund (estimated receipts).....	5,000 00
Pay of Tax Assessors (not to exceed 5 per cent.).....	12,250 00
Pay of Tax Collectors (not to exceed 5 per cent.).....	13,500 00
National Debt falling due.....	25,400 00
Interest on National Debt.....	60,000 00
Incidentals Finance Department.....	2,000 00
Salaries Due and Unpaid as per Table “C.”.....	1,263 17
Expenses of Commission for Codifying the Laws of the Kingdom.....	3,500 00

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\$156,013 17

#### ATTORNEY GENERAL'S DEPARTMENT.

Salary of Attorney General.....	\$ 8,000 00
“ of Attorney General's Clerk.....	2,400 00
“ of Marshal.....	6,000 00
“ of Sheriff of Hawaii.....	4,000 00
“ of Clerk of Sheriff of Hawaii.....	1,000 00
“ of Sheriff of Maui.....	4,000 00
“ of Clerk of Sheriff of Maui.....	1,000 00
“ of Sheriff of Kauai.....	2,500 00
Police of Hawaii.....	10,296 00
Police of Maui.....	9,120 00
Police of Oahu.....	43,608 00
Police of Kauai.....	3,408 00
Apprehension of Criminals.....	2,000 00
Incidentals.....	2,000 00

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\$ 99,332 00

## BUREAU OF PUBLIC INSTRUCTION.

Salary of Inspector General.....	\$ 4,000 00
Salary of Clerk of Board.....	3,600 00
Support of Hawaiian and English Schools—That no part of this Sum shall be Expended by the Inspector General of Schools for Traveling Expenses.....	40,000 00
Support of Common Schools.....	16,000 00
Printing of Hawaiian Geography.....	3,500 00
Reformatory Schools.....	10,500 00
Building New School Houses.....	1,000 00
Endowment of Scholarships.....	360 00
Maintenance of National Museum.....	1,000 00
Stationery and Incidentals.....	700 00
	<hr/>
	\$ 80,660 00

## RECAPITULATION.

Civil List.....	\$ 55,000 00
Permanent Settlements.....	18,000 00
Legislature and Privy Council.....	15,300 00
Judiciary Department.....	70,100 00
Foreign Affairs and War.....	67,070 00
Interior Department.....	414,828 70
Finance Department.....	156,013 17
Attorney General's Department.....	99,332 00
Bureau of Public Instruction.....	80,660 00
	<hr/>
	\$976,303 87

SECTION 2. The Minister of Finance shall credit the appropriations of the last Biennial Fiscal Period all the amounts appropriated by the Act, approved the 29th of July, A. D. 1872, and remaining unexpended on the 31st day of March, A. D. 1874, not otherwise re-appropriated, and such amounts shall be deemed no longer available for the objects for which they were originally appropriated.

SECTION 3. The Minister of Finance shall continue to pay the salaries appropriated by this Act, the compensation of Soldiers and Constables, the compensation of School Teachers and the current expenses of the Bureau of Education, the expenses of the Fire Department, of the Supreme and Circuit Courts, Exchequer Bills and Government Stocks, and the interest accruing thereon, until the 30th day of June, A. D. 1876, unless new appropriations are made before that date.

SECTION 4. The Minister of Finance shall not cause or allow to be paid from the Treasury any money for objects not

provided for by this law ; *Provided, however,* that all sums temporarily deposited in the Treasury, for which Certificates of Deposit are issued, and the interest thereon may be paid when due, without special appropriation for that object.

SECTION 5. It shall be lawful for the Heads of Departments, in cases where special appropriations may fall short, to apply to same the surplus of other special appropriations in the same Department, not required to be expended, so as to make up the deficiency; each Head of Department duly accounting to the Legislature for such transfer; but in no case shall appropriations for Internal Improvements in one Gubernatorial division be transferred to another.

SECTION 6. No person holding more than one office for which salaries are provided, shall be authorized to draw for more than the salary of the highest grade of office held by him, if the salary of any office held by him shall amount to Two Thousand Dollars or more per annum, and he shall be entitled to no other or further compensation.

SECTION 7. This Act shall take effect from and after the date of its passage.

Approved this 1st day of August, A. D. 1874.

KALAKAUA R.



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